

**REMARKS**

This Amendment is filed in response to the non-final Office Action of June 30, 2004. The response is due on September 30, 2004. The Applicant thanks the Examiner for carefully reviewing the present application.

Claims 1-19, 21-37 are pending after entry of the present Amendment. Claim 20 is cancelled. New claims 31-37 are added. These claims are fully supported by the specification. No new matter is presented by these claims. Claims 31-37 have been added to more clearly and accurately claim the subject matter that Applicant regards as his invention. Additionally, the Applicant has carefully reviewed the prior arts of record and believes that the newly added claims are patentable in view of the prior arts.

**Rejections under 35 U.S.C. § 102(b)**

Claims 1-2, 4-8, 9, 14-19, 22-23, 25-28, and 30 are rejected under 35 U.S.C. § 102(b) as being anticipated by Matsuda (European Patent EP0843168A2). Applicant respectfully traverses.

Amended independent claims 1, 14, 22, and 30 recite, among other features, the method of altering content data based on location information of a first computer and a second computer. That is, for example, the present invention as recited in amended claim 1 is capable of altering the audio output of content data to create audio spatial effects. Page 15, line 22-23 and page 16, line 1-10.

In contrast, Matsuda discloses a method of modifying content data transmitted from a first computer to a second computer based on user input to change the pitch and frequency of a voice output. The user selects one of four voice tone select radio buttons to select for one of four voice types; normal, change tone, robot, and reverse intonation. When normal is selected, the voice inputted by the user is outputted without change. When tone change is

selected, a voice of a child or an adult is outputted. When robot is selected, a voice as uttered by a robot is outputted. When reverse intonation is selected, a slow voice is outputted. Col. 14, line 4-7, col. 23, 5-19, and Figures 31, 32, 34.

Matsuda, however, does not disclose the method of altering content data, e.g., audio output, based on locations of the first and second computers to create audio spatial effects. Accordingly, for at least this reason, Matsuda does not disclose each and every feature in amended independent claims 1, 14, 22, and 30. Therefore, the present invention as recited in amended independent claims 1, 14, 22, and 30 are not anticipated by Matsuda. Hence, amended independent claims 1, 14, 22, and 30 are patentable.

Additionally, dependent claims 2, 4-8, 9, 13-19, 23, and 25-28 are not anticipated by Matsuda for substantially the same reasons as the amended independent claims 1, 14, 22, and 30, and for the additional limitations each dependent claims respectively recites. Accordingly, dependent claims 2, 4-8, 9, 13-19, 23, and 25-28 are patentable.

**Rejections under 35 U.S.C. § 103(a):**

Claims 3, and 24 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Matsuda. Claims 10-13, 20-21, and 29 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Matsuda further in view of Suzuki et al. (European Patent EP0696018A2).

As for claims 3 and 24, the Examiner asserts that Matsuda discloses the method according to claim 1 and the system of claim 22. Matsuda fails to disclose the limitation wherein the received content data comprises text input data into the first computer. However, Official Notice is taken that the concept and advantages of inputting text into a first computer for conversion to speech data is old and well known.

As discussed above, Matsuda does not disclose the method of altering content data based on location information of the first and second computers to create audio spatial

effects. Therefore, Matsuda does not disclose the method according to amended claim 1 and the system of amended claim 22. The Official Notice, as taken, does not remedy the deficiencies of Matsuda to render independent claims 1 and 22 obvious. Similarly, dependent claims 3 and 4 are not rendered obvious for substantially for same reason as independent claims 1 and 22. Therefore, dependent claims 3 and 4 are patentable.

As for claims 10-13, 20-21, and 29, Suzuki disclose a method of always sending position coordinate of a moving avatar in a virtual space, and providing voice output of the avatar based on the location of the avatar to create realism in the virtual space. Abstract, page 2, line 49-51, page 4, line 14-19, and Figures 1A and 2A.


In contrast to Suzuki, the location information of the first and second computer, as recited in amended independent claims 10, 14, and 22, is used to alter content data, e.g., audio output; whereas, in Suzuki, the location of the avatar, independent of the location of the computer, is used to determine the quality of speech. Altering the audio output based on the locations of the first and second computers is opposite to providing audio output based on the location of avatar, because the locations of the first and second computers are not changed, whereas the location of the avatar is changed. Accordingly, the audio spatial effects created based on the location of the first and second computers, as provided in amended independent claims 10, 14, and 22 would be different from the speech quality based on the location of the avatar in the virtual space as disclosed in Suzuki. For these reasons, even if Matsuda is combined with Suzuki, the combination would not render the currently amended independent claims 10, 14, and 22 obvious. Accordingly, amended independent claims 10, 14, and 22 are patentable.

Therefore, dependent claims 11-13, 21, and 29 are not rendered obvious for substantially the same reasons as amended independent claims 10, 14, and 22. Accordingly, dependent claims 11-13, 21, and 29 are patentable.

Accordingly, after entry of the present Amendment, the application is now in a condition for allowance. A Notice of Allowance is therefore respectfully requested.

If the Examiner has any questions concerning the present Amendment, the Examiner is kindly requested to contact the undersigned at (408) 749-6903. If any other fees are due in connection with filing this Amendment, the Commissioner is also authorized to charge Deposit Account No. 50-0805. (Order No. SONYP009). A duplicate copy of the transmittal is enclosed for this purpose.

Respectfully submitted,  
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